

**MAYOR AND COUNCIL OF NEW CASTLE
REGULAR MONTHLY COUNCIL MEETING
MASONIC HALL – 1406 WILMINGTON ROAD – NEW CASTLE
TUESDAY – FEBRUARY 8, 2000 – 7:00 P.M.**

ROLL CALL:

PRESENT

Councilman DiAngelo
Councilman Marinelli

Councilman Davis
Councilman Reese

President Blest was absent.

Also, present Mayor Houben, Mr. Robert Martin, City Administrator, Herb Swanson, Housing Enforcement Official, Rick Harrison, Director of Public Works, Jeff Bergstrom, Building Official, Lt. Patrick Cannon, Officer in charge of New Castle City Police, and attached list of audience.

APPROVAL OF COMMITTEE REPORTS:

Mr. Martin read the committee reports and announced they are available at the City Administration Building.

<u>Police Department Report</u>	-	<u>January 2000</u>
<u>Building Official's Report</u>	-	<u>January 2000</u>
<u>Public Works Report</u>	-	<u>January 2000</u>
<u>Health and Housing Report</u>	-	<u>January 2000</u>

Treasurer's Report:

Ms. Janet Carlin, City Treasurer read the report for the month ending January 2000. Mr. Reese motioned that all reports be accepted as read. Mr. Davis seconded the motion. Motion passed unanimously.

APPROVAL OF MINUTES BY DATE:

Councilman Marinelli asked if council had read the minutes and if anyone had any changes or corrections. Mr. Davis asked if the minutes could be tabled until next meeting, as he had not had a chance to read them.

COMMUNICATIONS:

1. Councilman Marinelli read a letter from Senator Dori Connor to the Honorable Anne P. Candy, Secretary of Del Dot in support of a traffic device being placed at Quigley Blvd. and Route 273.
2. Mayor Houben stated that he had sent a letter to Mr. Thomas Gordon, New Castle County Executive asking him to please give the Mayor written commitment that the new senior center will be placed at the old Deemer Steel site. Mayor Houben stated that he had heard from Mr. Gordon and there would be a meeting held on Monday regarding the Senior Center. Mayor Houben stated he would keep the public informed and also give any new information to the New Castle Weekly.

BUSINESS FROM THE FLOOR:

1. Eileen Blushal stated that she works for the New Castle Senior Center and she and several members of the audience are in support of having the Senior Center built in the city of New Castle.
2. Herb Swanson stated that there was contingent of residents from the 5th and Delaware Street area that wanted to address agenda item #5 but that they were not here at the present time. They then arrived and Mr. Swanson gave the floor to Mr. Mendelson.
3. Richard Mendelson of 412 Delaware Street spoke about the proposed restaurant at 416 Delaware Street. Mr. Mendelson felt it would destroy the quality of life for the residents of New Castle. He then presented a petition to council opposing the new restaurant and listed several reasons why they were against it.
4. Anna Burns asked about agenda item #6 regarding rental properties within the city limits of New Castle. Council informed her that it was just on the agenda for discussion. Mrs. Burns stated she is opposed to the ordinance as she feels it is just another form of taxation. She felt that landlords who do take care of their properties are being penalized for the landlords that don't.

BUSINESS FROM THE MAYOR:

Mayor Houben stated he had nothing else for the public at this time.

BUSINESS FROM THE COUCIL PRESIDENT:

Acting-President of Council, Mr. Marinelli stated he had no business at this time.

BUSINESS FROM THE CITY ADMINISTRATOR:

1. Mr. Martin stated Council received a copy of the minutes from The Project 2000 Flower Beautification Committee of January 19, 2000. A budget had been presented to City Council detailing the plantings and requesting a total of \$1498. Mr. Martin stated money was appropriated in the budget that would cover their request.
2. Mr. Martin stated a memo and a copy of a news release were received from Comcast announcing their acquisition of the Suburban Cable systems serving Pennsylvania, New Jersey and Delaware
3. Mr. Martin received a letter from James A. Stewart, Administrator, and Delaware State Museums, regarding a November 22, 1999 meeting with the members of "The Green Advisory Committee and the Tree Commission. The letter outlined what is being done in the green and with State Museums within the City of New Castle.

UNFINISHED BUSINESS:

1. **Up-date on permitting of drainage ditch in Buttonwood.** Mr. Martin stated the Soil Conservation staff is working on this project and that there is a lot of work involved in this project. He stated a meeting would be set up with the residents of Buttonwood soon but no work would begin for awhile.
2. **Third and final reading of Ordinance No. 391 Amending Chapter 221, Taxation of the Code of the City of New Castle.** Mr. Marinelli read the third and final of Ordinance No. 391 which does away with the tax abatement

for the industrial park district. Mr. Davis then made a motion that the ordinance be accepted as read. Mr. Reese seconded the motion. Mr. Marinelli then asked for a roll call. Mr. Diangelo voted yes. Mr. Reese voted yes. Mr. Davis voted yes. Mr. Marinelli voted yes. Motion passed unanimously.

- 3. Discussion on increasing income limits on the Over 65 and Disability Tax Exemptions.** Mr. Davis stated he would like to raise the income limits for single individuals from \$8,000 to \$12,500 and for married couples from \$15,000 to \$25,000. Mr. Davis then explained the projected savings for individuals that would be eligible and what the costs would be for the city. Mr. Davis felt the previous ordinance amending the tax abatement would cover any costs to the city. Mr. Marinelli stated this item was for discussion only this evening and would be placed on the agenda for next month.

New Business:

- 1. Discussion on City policy regarding city employees performing services outside normal tour of duty, i.e., and pay jobs.** Mr. Martin explained that any time city employees perform services outside their normal hours the entity will be billed for the employee's rate of pay and a nominal charge for the use of the equipment. The main reason for this policy is the city's liability coverage. The city's insurance company and the city accountant recommended this policy. Mr. Martin stated President Blest would like this placed on the agenda for next month.
- 2. Consideration of Resolution No. 2000-04 to Adopt City of New Castle Transportation Plan.** Mr. Marinelli read resolution No. 2000-04, City of New Castle Transportation plan that was recommended by Wilmapco and DelDot, which addressed transportation issues within New Castle. Mr. Reese motion that the resolution be accepted as read. Mr. Davis seconded the motion. Resolution passed unanimously.
- 3. Bank Resolution in amount of \$88,542 to pay George and Lynch Inc., City Contract #1999-2 "City Wide Paving", Estimate #1 for period ending 12/31/99.** Mr. Davis read the resolution authorizing the city to pay George and Lynch the amount of \$88,542. Mr. Davis stated this was for citywide paving up till 12/31/99. Mr. Davis then made a motion that the resolution be accepted as read. Mr. Reese seconded the motion. Motion passed unanimously.

4. **Request for a temporary extension of premises from the Castillian Club.** Council received a request from Peter Piunti, Jr., and President of the Castillian Club requesting a temporary extension of premises to serve alcoholic beverages in the confines of their property for specific dates. The club needs city council's approval in order to request an extension from the Alcoholic Beverage Control Commission. He is requesting the permission for their sports and picnic activities held on the specific dates. Mr. DiAngelo made a motion to grant the temporary extension. Mr. Reese seconded the motion. Motion passed unanimously.
5. **Discussion on Delaware Street Restaurant.** Mr. Reese stated many residents who are not excited about a restaurant being constructed in what was originally a single-family residence have approached him. The builder has been to the historic area commission with extension plans to more than double the size of the building. Council discussed the negatives of having a restaurant in that area although they know it is allowed by the zoning code. Council decided to seek the city solicitor's advice on this item.
6. **Discussion on Ordinance regarding Registration, Licensing and Regulation of Rental Properties in the City of New Castle.** Mr. Martin explained that this was an ordinance that was proposed a couple of years ago and was tabled. Mr. Martin stated that Mr. Bergstrom, the city building official could explain it to the audience. The draft was drawn up in 1997, and the idea behind the ordinance is to assure a higher quality of safety in the community. The ordinance was not designed to generate money. The ordinance deals with inspections, occupancy requirements and fees. The ordinance will also help with the problem of absentee landlords.
7. **Consideration of a Right-of-Way use Agreement between the City of New Castle and Metricom, Inc.** Mr. Marinelli stated that Metricom bought the local cable company and now wishes to attach a wireless modem to existing street light fixtures. The modem will enhance Internet-E-mail technologies. The Board of Water and Light has been involved and is now ready to develop an agreement with the city. The right-of-way use agreement will allow the modems to be installed on city streetlights in exchange for a Franchise fee, which is under discussion. Mr. Reese motioned to let Mr. Martin and Mr. Kavanagh, city solicitor negotiate the agreement.

8. Discussion on proposed Ordinance regarding "Vehicles, Abandoned".

Mr. Marinelli stated that the city did not have an ordinance that addressed abandoned vehicles. He stated that there are parts of the city that have quite a few abandoned vehicles. Mr. Reese stated that a public hearing should be scheduled before the March 14, 2000 meeting at 6:30 p.m. Mr. Marinelli read by title only the " Ordinance to prohibit abandoned vehicles within the city limits".

General Comments from the Floor:

1. Mary Lou Cashal wanted to know if HUD money had been appropriated for the new senior center and if there were any seniors on the committee for the new senior center. Mr. Marienelli stated he is not aware that a committee has yet been formed but the old committee from previous years did have seniors on it. Mayor Houben stated that HUD money was involved. Mayor Houben also stated the property that is under consideration for the new senior center would also house or city administration and police offices. Mayor Houben said that seniors would be involved in the planning.
2. Joann Quinn stated that throughout the council meetings it is stated there are reports and ordinances available at the city administration office. She wondered if it would be possible for the city office to be open one night a week for individuals like her that work during the day. She felt by the city administration building being open one evening a week would enable those individuals to read the reports, ordinances and take care of any city business they had. They said she would like to routinely like to read the reports and minutes. Could council open the office one night a week until 7:00 p.m.? Mr. Marinelli stated they would take it under consideration. Mr. Martin stated they would place the requested information in the library.

Mr. Marinelli then made a motion to adjourn the regular meeting and enter into executive session. Mr. DiAngelo seconded the motion. Motion passed unanimously.

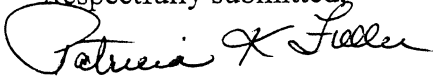
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Minutes of Executive Session as dictated by Mr. Robert Martin, City Manager.

Upon a motion to convene into executive session by Mr. Reese and seconded by Mr. DiAngelo acting City Council President Marinelli brought the executive session to order at 8:30 p.m. to discuss a potential site acquisition for public funded capital improvement. After a lengthy discussion on potential sites for a municipal building Mr. Reese made a motion to return to open session at 9:00 p.m. Mr. Davis seconded the motion. Motion passed unanimously.

Being no further business in open session Mr. DiAngelo made a motion to adjourn at 9:05 p.m. Mr. Reese seconded the motion. Motion passed unanimously.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Patricia K. Fuller".

Patricia K. Fuller
City Clerk